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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 JOHN ROBERT DEMOS,

9 Petitioner,

10 v.

11 DONALD R. HOLBROOK,

12 Respondent.

CASE NO. C19-1095 MJP-BAT

**REPORT AND
RECOMMENDATION**

13 **Bar-order litigant John Demos** filed an application to proceed *in forma pauperis* with a
14 proposed 28 U.S.C. § 2254 habeas petition. Dkt. 1. An Order of this Court, however, provides
15 for the summary dismissal of any petition by Mr. Demos that seeks an extraordinary writ
16 pursuant to 28 U.S.C. §§ 1651, 2253 or 2254, unless accompanied by the filing fee. *See Demos v.*
17 *Stanley*, MC97-0031-JLW (W.D. Wash. Mar. 13, 1997); *see also Demos v. U.S. Dist. Court for*
18 *Eastern Dist. of Washington*, 925 F.2d 1160 (9th Cir. 1991) (barring Mr. Demos's petitions
19 seeking extraordinary writs pursuant to 28 U.S.C. §§ 1651, 2253, or 2254 directed at the United
20 States District Courts for the Eastern and Western Districts of Washington unless accompanied
21 by a filing fee).

22 As petitioner has submitted no filing fee, the Court recommends that, pursuant to the
23 Court's Order of March 13, 1997, this matter be **DISMISSED**. Moreover, Mr. Demos may not

1 proceed with a second or successive habeas petition here unless and until the Ninth Circuit
2 authorizes its filing. *See* 28 U.S.C. § 2244(b)(3)(A). A proposed Order is attached. This matter
3 may be noted for consideration immediately.

4 DATED this 17th day of July, 2019.

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7 BRIAN A. TSUCHIDA
Chief United States Magistrate Judge